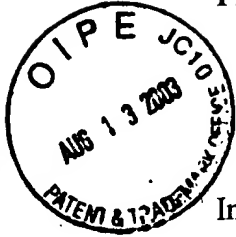


Practitioner's Docket No. 44168-DIV4 (70281)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECHNICAL CENTER 1600/2900

AUG 14 2003

RECEIVED

In re application of: Haruo ONDA et al.

Serial No.: 09/935,371

Group No.: 1614

Filed: August 22, 2001

Examiner: WEDDINGTON, Kevin E.

For: PACAP RECEPTOR PROTEIN, METHOD FOR PREPARING SAID PROTEIN,  
AND USE THEREOF


Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: August 11, 2003

  
Lee Dunkle

\*\*\*\*\*

Sir:

AMENDMENT

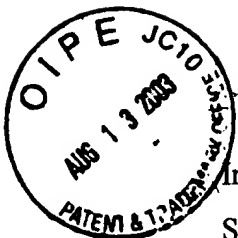
The following amendment is in response to the Restriction Requirement mailed July 10, 2003, in the above referenced application. Kindly amend the application as set forth below.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

Practitioner's Docket No. 44168-DIV4 (70281)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1614  
RECEIVED  
AUG 14 2003  
TECH CENTER 1600/2600

In re application of: Haruo ONDA et al.

Serial No.: 09/935,371

Group No.: 1614

Filed: August 22, 2001

Examiner: WEDDINGTON, Kevin E.

For: PACAP RECEPTOR PROTEIN, METHOD FOR PREPARING SAID PROTEIN,  
AND USE THEREOF

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: August 11, 2003

  
Lee Dunkle

\*\*\*\*\*

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Applicants are in receipt of the Restriction Requirement mailed July 10, 2003. However, applicants would like to draw the Examiner's attention to a typographical error in the Restriction Requirement wherein the Examiner sets out Group I drawn to claims 39, 40, 51-56; Group II drawn to claim 54; Group III drawn to claim 55; and, Group IV

drawn to claim 56. Applicants are basing the instant Response on the assumption that the claims in Group I are claims 39, 40, 51-53.

In response to the Examiner's Restriction Requirement, Applicants respectfully elect, without traverse, Group I – Claims 39, 40 and 51-53, drawn to pharmaceutical compositions comprising a compound or a salt thereof which activates a PACAP receptor or antagonizes binding of PACAP to a PACAP receptor, classified in class 514, subclass 229.2.


Attached hereto is an amendment in order to present the subject matter of claim 39 as an independent claim. No new matter is added by virtue of the amendment and its entry is respectfully requested.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. The right to file divisional applications on the non-elected claims and species of the invention is reserved.

Early consideration and allowance of the application are earnestly solicited.

Respectfully submitted,

DATE: August 11, 2003

  
Christine C. O'Day (Reg. No. 38,256)  
EDWARDS & ANGELL, LLP  
P.O. Box 9169  
Boston, MA 02209

Tel. No.: (617) 439-4444

Fax No.: (617) 439-4170